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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,466	07/10/2001	Michael Pascazi	844-002	6786

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EXAMINER

TRAN, CONGVAN

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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05/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed Feb. 12, 2009 have been fully considered but they are not persuasive.
2. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Klindworth's reference does disclose "Echo cancellers are commonly used in telephone systems to remove acoustical electrical echoes that may occur due to reflections of the signal in the communication line" (see col.1, lines 18-30).
3. In response to applicant's argument that "there is no teaching, suggestion or motivation to combine the references", a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heinonen et al. (6816719) in view of Klindworth et al. (6,771,701).

Regarding claims 1, 11-12, 14, and 17, Heinonen discloses a method and system for making wireless terminal profile information accessible to net work, comprising:

a first internet protocol interface configured to receive an incoming cell phone signal generated by the first mobile station, and to transmit said phone signal to the Internet (see fig.1, a first internet protocol interface ISP, first mobile station 12, Internet 44); and a second internet protocol interface configured to receive said phone signal sent through the internet by said first internet protocol interface and to transmit said phone signal to the second mobile station, such that users of the first and second mobile stations can engage in a conversation where said phone signals are communicated over substantial distances through the internet (see fig.1, Internet 44, a second internet protocol interface ISP, second mobile station 22), except for the first and second internet protocol interfaces each maintain an echo canceller. However, Klindworth discloses an echo canceller comprising the first and second internet protocol interfaces each maintain an echo canceller/equalizer to correct distortions in said phone signal caused by travel of said phone signal through free air, server delays and internet delays (see figs2-3, echo canceller 30, fig.11, col.1, lines 39-45, col.9, lines 9-15). Thus, it would have been obvious to one having ordinary skill in the art at the time the

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invention was made to use the Klindworth's echo canceller in Heinonen's invention in order to remove acoustical and electrical echoes that occur due to reflections of in signal to improve the quality of telecommunications system.

Regarding claims 2-3, these features are inherent and use to recognize the calling party and to locate the called party in telecommunication system (see col.1, lines 41-58).

Regarding claims 5 and 10, Heinonen's system is a digital system, therefor, it inherent that Heinonen's system including the A/D or D/A converter (see col.1, lines 41-58).

Regarding claims 6-7, 13, and 15-16, Heinonen's system is a 15 digit unique code that is used to identify GSM/DCS/PCS phone to a GSM/DCS/PCS network (see col.1, lines 41-58). Thus, Heinonen' system comprised of a internet protocol converter module configured to embed said phone signal into a packetized digital data stream for transmission through the internet and further comprised of a internet protocol de-converter module configured to remove said phone signal from said packetized digital data stream.

1. Regarding claims 8-9, Heinonen's system further comprising said second internet protocol interface is further comprised of a second software controller module configured to process address information of the second mobile station provided by the user of the first mobile station (see fig.1, file server).

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CongVan Tran/
Primary Examiner, Art Unit 2617